

This Document Prepared by:
Herbert W.A. Thiele, Esq., County Attorney
Leon County Attorney's Office
301 South Monroe Street, Suite 202
Tallahassee, Florida 32301

CONSERVATION EASEMENT

STATE OF FLORIDA:

COUNTY OF LEON:

THIS CONSERVATION EASEMENT is hereby made and entered into on this 22nd day of September, 2003 by Persica Landscaping Inc., whose mailing address is 1703 Baum Road, hereinafter referred to as the "Grantor," to LEON COUNTY, FLORIDA, Tallahassee, FL. 32317, a political subdivision of the State of Florida, whose mailing address is Board of County Commissioners, 301 South Monroe Street, Tallahassee, Florida 32301, hereinafter referred to as the "Grantee."

WITNESSETH:

For and in consideration of the mutual promises and other good and valuable consideration as set forth herein, the receipt and sufficiency of which is hereby acknowledged, the Grantor does hereby grant to the Grantee, its successors and assigns, a perpetual Conservation Easement in accordance with Section 704.06, Florida Statutes, over and across the real property more particularly described on Exhibit "A", which is attached hereto and expressly incorporated herein, on the terms and conditions hereinafter set forth:

The following activities are prohibited within this easement, pursuant to Section 704.06, Florida Statutes:

1. Construction or placing of buildings, roads, signs, billboards or other advertising, utilities, or other structures above or on the ground.
2. Dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste, or unsightly or offensive materials.
3. Removal or destruction of trees, shrubs, or other vegetation.
4. Excavation, dredging, or removal of loam, peat, gravel, soil, rock, or other material substance in such matter as to affect the surface.
5. Surface use except for purposes that permit the land or water area to remain predominately in its natural condition.
6. Activities detrimental to drainage, flood control, water conservation, erosion control, soil

conservation, or fish and wildlife conservation habitat preservation.

7. Acts or uses detrimental to such retention of land or water areas.
8. Acts or uses detrimental to the preservation of the structural integrity or physical appearance of sites or properties of historical, architectural, archeological, or cultural significance.

Notwithstanding the foregoing, the Grantor shall be permitted to perform the activities set forth in the plan attached hereto as Exhibit "B", which also addresses other conditions of this easement.

It is understood that the granting of this easement entitles the Grantee to enter the above described land in a reasonable manner and at reasonable times to assure compliance with the conditions of this easement.

Grantor hereby fully warrants the title to said real property and will defend the same against the lawful claims of all persons whomsoever claimed by, through or under it, that it has good rights and lawful authority to grant this easement and that the same is unencumbered. Where the context of this easement requires, allows or permits, the same shall include the successors or assigns of the parties.

The easement granted hereby shall run with the land and shall enure to the benefit of the Grantee and its successors and assigns.

IN WITNESS WHEREOF, Grantor has caused these covenants to be executed and its seal to be affixed hereto on the day and year first above written.

GRANTOR

Persica Landscaping, Inc.
(Name of Corporation Typewritten)

[Signature]
(Signature of Officer or Agent)

Reza Karimipour, Vice President
(Print Name and Title of Officer or Agent)

WITNESSES:

[Signature]
(Sign)
[Signature]
(Sign)

Gregory E. Herold
(Print Name)
RICHARD DARABI
(Print Name)

STATE OF FLORIDA
COUNTY OF LEON

The foregoing instrument was acknowledged before me this 22ND day of
SEPTEMBER, 2003 by REZA KARIMIPOUR
(name of officer or agent, title of officer or agent)

of PERSICA LANDSCAPING INC., a FLORIDA corporation,
(name of corporation acknowledging) (state or place of incorporation)

on behalf of the corporation. He/she is personally known to me or has produced _____
as identification. (type of identification)



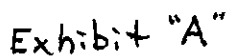
Karen E. Parish
MY COMMISSION # CC889628 EXPIRES
January 29, 2004
BONDED THRU TROY FAIN INSURANCE, INC.

Karen E. Parish
(Signature of Notary)

KAREN E. PARISH
(Print, Type or Stamp Name of Notary)

(Title or Rank)

(Serial Number, If Any)



LEGAL DESCRIPTION

CONSERVATION EASEMENT #1:

Commence at a concrete monument marking the Northeast corner of Section 13, Township 1 North, Range 2 East, Leon County, Florida and run thence South 00 degrees 07 minutes 05 seconds West (Bearing Base) along the monumented east boundary of said Section 13, a distance of 2659.89 feet to a concrete monument; thence continue South 00 degrees 07 minutes 05 seconds West 1161.39 feet to a point lying in the centerline of an existing road; thence run Westerly and Northwesterly along the centerline of a 60 foot easement for ingress, egress and utilities as follows: South 80 degrees 08 minutes 23 seconds West 991.23 feet to a point of curve to the right; thence along said curve with a radius of 655.12 feet, through a central angle of 32 degrees 20 minutes 48 seconds for an arc distance of 369.85 feet; thence North 67 degrees 30 minutes 48 seconds West 672.49 feet to a point of curve to the left; thence along said curve with a radius of 792.77 feet, through a central angle of 17 degrees 12 minutes 53 seconds for an arc distance of 238.19 feet; thence North 84 degrees 43 minutes 42 seconds West 475.63 feet to a point of curve to the left; thence along said curve with a radius of 598.47 feet, through a central angle of 26 degrees 23 minutes 02 seconds; for an arc distance of 275.58 feet to a point of reverse curve; thence along said curve with a radius of 286.40 feet through a central angle of 74 degrees 33 minutes 21 seconds for an arc distance of 372.67 feet; thence North 36 degrees 33 minutes 22 seconds West 134.86 ; thence leaving said centerline, run South 00 degrees 02 minutes 43 seconds West 1767.96 feet to the Northerly right of way boundary of Interstate No. 10 (State Road No. 8); thence run Westerly along said Northerly right of way as follows: South 86 degrees 04 minutes 12 seconds West 54.75 feet; thence South 89 degrees 54 minutes 42 seconds West 57.09 feet; thence leaving said right of way, run North 00 degrees 02 minutes 43 seconds East 1674.02 feet to an iron rod with cap marked LB#3524 and for the POINT OF BEGINNING. From said POINT OF BEGINNING run thence North 00 degrees 06 minutes 45 seconds East 734.82 feet, thence North 89 degrees 57 minutes 18 seconds West 583.69 feet, thence South 00 degrees 02 minutes 42 seconds West 15.00 feet, thence South 89 degrees 57 minutes 18 seconds East 510.00 feet, thence South 00 degrees 06 minutes 45 seconds West 412.24 feet, thence North 89 degrees 58 minutes 13 seconds West 17.13 feet, thence South 00 degrees 06 minutes 45 seconds West 307.87 feet, thence South 89 degrees 53 minutes 15 seconds East 90.00 feet to the POINT OF BEGINNING.

CONSERVATION EASEMENT #2:

Commence at a concrete monument marking the Northeast corner of Section 13, Township 1 North, Range 2 East, Leon County, Florida and run thence South 00 degrees 07 minutes 05 seconds West (Bearing Base) along the monumented east boundary of said Section 13, a distance of 2659.89 feet to a concrete monument; thence continue South 00 degrees 07 minutes 05 seconds West 1161.39 feet to a point lying in the centerline of an existing road; thence run Westerly and Northwesterly along the centerline of a 60 foot easement for ingress, egress and utilities as follows: South 80 degrees 08 minutes 23 seconds West 991.23 feet to a point of curve to the right; thence along said curve with a radius of 655.12 feet, through a central angle of 32 degrees 20 minutes 48 seconds for an arc distance of 369.85 feet; thence North 67 degrees 30 minutes 48 seconds West 672.49 feet to a point of curve to the left; thence along said curve with a radius of 792.77 feet, through a central angle of 17 degrees 12 minutes 53 seconds for an arc distance of 238.19 feet; thence North 84 degrees 43 minutes 42 seconds West 475.63 feet to a point of curve to the left; thence along said curve with a radius of 598.47 feet, through a central angle of 26 degrees 23 minutes 02 seconds; for an arc distance of 275.58 feet to a point of reverse curve; thence along said curve with a radius of 286.40 feet through a central angle of 74 degrees 33 minutes 21 seconds for an arc distance of 372.67 feet; thence North 36 degrees 33 minutes 22 seconds West 134.86 ; thence leaving said centerline, run South 00 degrees 02 minutes 43 seconds West 1767.96 feet to the Northerly right of way boundary of Interstate No. 10 (State Road No. 8); thence run Westerly along said Northerly right of way as follows: South 86 degrees 04 minutes 12 seconds West 54.75 feet; thence South 89 degrees 54 minutes 42 seconds West 57.09 feet; thence leaving said right of way, run North 00 degrees 02 minutes 43 seconds East 1674.02 feet to an iron rod with cap marked LB#3524, thence North 00 degrees 06 minutes 45 seconds East

734.82 feet, thence North 89 degrees 57 minutes 18 seconds West 613.69 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING thence continue North 89 degrees 57 minutes 18 seconds West 675.75 feet to the Easterly right of way boundary of State Road No. 364 (Baum Road), thence South 00 degrees 20 minutes 41 seconds West 7.27 feet, thence leaving said right of way boundary run South 53 degrees 28 minutes 37 seconds East 13.00 feet, thence South 89 degrees 57 minutes 18 seconds East 665.33 feet, thence North 00 degrees 02 minutes 42 seconds East 15.00 feet to the POINT OF BEGINNING.

CONSERVATION EASEMENT #3:

Commence at a concrete monument marking the Northeast corner of Section 13, Township 1 North, Range 2 East, Leon County, Florida and run thence South 00 degrees 07 minutes 05 seconds West (Bearing Base) along the monumented east boundary of said Section 13, a distance of 2659.89 feet to a concrete monument; thence continue South 00 degrees 07 minutes 05 seconds West 1161.39 feet to a point lying in the centerline of an existing road; thence run Westerly and Northwesterly along the centerline of a 60 foot easement for ingress, egress and utilities as follows: South 80 degrees 08 minutes 23 seconds West 991.23 feet to a point of curve to the right; thence along said curve with a radius of 655.12 feet, through a central angle of 32 degrees 20 minutes 48 seconds for an arc distance of 369.85 feet; thence North 67 degrees 30 minutes 48 seconds West 672.49 feet to a point of curve to the left; thence along said curve with a radius of 792.77 feet, through a central angle of 17 degrees 12 minutes 53 seconds for an arc distance of 238.19 feet; thence North 84 degrees 43 minutes 42 seconds West 475.63 feet to a point of curve to the left; thence along said curve with a radius of 598.47 feet, through a central angle of 26 degrees 23 minutes 02 seconds; for an arc distance of 275.58 feet to a point of reverse curve; thence along said curve with a radius of 286.40 feet through a central angle of 74 degrees 33 minutes 21 seconds for an arc distance of 372.67 feet; thence North 36 degrees 33 minutes 22 seconds West 134.86 ; thence leaving said centerline, run South 00 degrees 02 minutes 43 seconds West 1767.96 feet to the Northerly right of way boundary of Interstate No. 10 (State Road No. 8); thence run Westerly along said Northerly right of way as follows: South 86 degrees 04 minutes 12 seconds West 54.75 feet; thence South 89 degrees 54 minutes 42 seconds West 57.09 feet; thence leaving said right of way, run North 00 degrees 02 minutes 43 seconds East 1674.02 feet to an iron rod with cap marked LB#3524, thence North 00 degrees 06 minutes 45 seconds East 734.82 feet, thence North 89 degrees 57 minutes 18 seconds West 1289.45 feet to the Easterly right of way boundary of State Road No. 364 (Baum Road), thence South 00 degrees 20 minutes 41 seconds West 44.44 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING thence continue South 00 degrees 20 minutes 41 seconds West 281.61 feet, thence leaving said Easterly right of way boundary run South 78 degrees 57 minutes 11 seconds East 30.53 feet, thence North 00 degrees 20 minutes 41 seconds East 265.34 feet, thence North 53 degrees 28 minutes 37 seconds West 37.17 feet to the POINT OF BEGINNING.

CONSERVATION EASEMENT #4:

Commence at a concrete monument marking the Northeast corner of Section 13, Township 1 North, Range 2 East, Leon County, Florida and run thence South 00 degrees 07 minutes 05 seconds West (Bearing Base) along the monumented east boundary of said Section 13, a distance of 2659.89 feet to a concrete monument; thence continue South 00 degrees 07 minutes 05 seconds West 1161.39 feet to a point lying in the centerline of an existing road; thence run Westerly and Northwesterly along the centerline of a 60 foot easement for ingress, egress and utilities as follows: South 80 degrees 08 minutes 23 seconds West 991.23 feet to a point of curve to the right; thence along said curve with a radius of 655.12 feet, through a central angle of 32 degrees 20 minutes 48 seconds for an arc distance of 369.85 feet; thence North 67 degrees 30 minutes 48 seconds West 672.49 feet to a point of curve to the left; thence along said curve with a radius of 792.77 feet, through a central angle of 17 degrees 12 minutes 53 seconds for an arc distance of 238.19 feet; thence North 84 degrees 43 minutes 42 seconds West 475.63 feet to a point of curve to the left; thence along said curve with a radius of 598.47 feet, through a central angle of 26 degrees 23 minutes 02 seconds; for an arc distance of 275.58 feet to a point of reverse curve; thence along said curve with a radius of 286.40 feet through a central

angle of 74 degrees 33 minutes 21 seconds for an arc distance of 372.67 feet; thence North 36 degrees 33 minutes 22 seconds West 134.86 ; thence leaving said centerline, run South 00 degrees 02 minutes 43 seconds West 1767.96 feet to the Northerly right of way boundary of Interstate No. 10 (State Road No. 8); thence run Westerly along said Northerly right of way as follows: South 86 degrees 04 minutes 12 seconds West 54.75 feet; thence South 89 degrees 54 minutes 42 seconds West 57.09 feet; thence leaving said right of way, run North 00 degrees 02 minutes 43 seconds East 1674.02 feet to an iron rod with cap marked LB#3524, thence North 00 degrees 06 minutes 45 seconds East 734.82 feet, thence North 89 degrees 57 minutes 18 seconds West 1289.45 feet to the Easterly right of way boundary of State Road No. 364 (Baum Road), thence South 00 degrees 20 minutes 41 seconds West 387.11 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING thence continue South 00 degrees 20 minutes 41 seconds West 348.07 feet, thence leaving said Easterly right of way boundary run South 89 degrees 58 minutes 13 seconds East 30.00 feet, thence North 00 degrees 20 minutes 41 seconds East 342.23 feet, thence North 78 degrees 57 minutes 11 seconds West 30.53 feet to the POINT OF BEGINNING.

CONSERVATION EASEMENT MANAGEMENT & MAINTENANCE PLAN

Notice: This plan does not necessarily provide exemption from any other applicable local, state, or federal regulations.

A. The Following Activities Are Allowed Within All Conservation Easement Areas:

1. Eradication of invasive and nuisance plant species through the application of herbicides or by physical removal of such plants. Herbicides must be applied in accordance with the manufacturer's labeling. As used herein, "invasive" species are those plants listed by the Florida Exotic Pest Plant Council's (EPPC) List of Invasive Species. "Nuisance" species are native plants not listed by the EPPC but are considered undesirable due to their competitive effects, such as grapevine, cattail, dog fennel, catbriar, etc. The Leon County Department of Growth and Environmental Management, or its successor, must be contacted prior to the eradication of nuisance plants to ensure the County agrees with designating the particular plant species as being a nuisance species.
2. Planting of native species that are adapted to local site conditions as required to satisfy uncomplimentary landscape buffer requirements.
3. Fertilization of landscape plants installed, appropriate pest control activities, pruning of dead and/or hazardous tree limbs, and installation and maintenance of irrigation systems necessary to support landscape plants.
4. Any other activities specifically authorized by an Environmental Management Permit issued by the Leon County Department of Growth and Environmental Management or its successor.

B. The Following Activities Are Specifically Prohibited in All Conservation Easement Areas :

1. Alterations and activities that will result in changes in the composition of the native plant community, including removal of native plant species, other than installation of native plants necessary to satisfy landscape buffer requirements.
2. Removal of native plant species in the subcanopy or groundcover.
3. Pruning of more than 10% of living limbs and green mass (canopy) of native trees.

C. Maintenance of Conservation Easement Areas:

Maintenance of the conservation easement areas shall be the responsibility of the property owner. The property owner (lot owner) shall be deemed to be the person or persons shown as the property owner on the tax roll of the Leon County Property Appraiser

The conservation easement areas must be maintained in perpetuity such that the average percent cover accounted for by invasive plant species does not exceed approximately 5 percent and the average percent cover accounted for by nuisance plant species does not exceed approximately 10 percent. Immediately following a maintenance event, the average percent cover by invasive and nuisance plant species should be as close to 0 percent as possible.